

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

TONY HARRELL,  
Plaintiff,

v.

FERGUSON PS,  
Defendant.

Case No. [3:22-cv-06337-JD](#)

**ORDER DISMISSING CASE**

In this action for breach of contract, pro se plaintiff Tony Harrell did not file an opposition to defendant's motion to dismiss, which was filed on October 28, 2022. Dkt. No. 6. His response was due November 14, 2022. Civil L.R. 7-3(a). Harrell was ordered to show cause in writing by February 7, 2023, why the case should not be dismissed for failure to prosecute. Dkt. No. 15. That deadline passed without any response or update from Harrell.

Consequently, the case is dismissed without prejudice under Federal Rule of Civil Procedure 41(b) for failure to prosecute. The case is ordered closed.

**IT IS SO ORDERED.**

Dated: March 27, 2023

  
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JAMES DONATO  
United States District Judge